

Remarks

This letter is written in response to the Office Action of June 2, 2005 which included (a) a requirement for restriction to one invention; and (b) a requirement for election of species.

1) Election of Species

The Applicant elects the species of Figure 12a. All of the claims presently pending in the case are thought to read on this species.

2) Argument Pertaining to Requirement for Restriction

The Applicant respectfully traverses the Requirement for Restriction.

The Applicant has amended claim 1 to include bulkheads at the ends of the car, such that both sets of claims, 2 – 14 and 15 – 21, now fall within class 410, subclass 121.

The Applicant notes that the purpose of a Requirement for Restriction is to avoid an undue searching burden. In that regard, the Applicant notes that (a) the claims now fall in the same class and sub-class; (b) a very substantial IDS has been filed; (c) at least three searches will have been made in this family of applications – the ground is well plowed; and (d) the number of claims is quite small – there are only two independent claims, and there is significant repetition of features in the dependencies. For all of these reasons the Applicant respectfully submits that the searching burden ought to be quite modest. In that light the Applicant respectfully submits that the underlying rationale for making a Requirement for Restriction is not met.

Even if the Examiner is not persuaded by the foregoing, and even if the Requirement for Restriction would otherwise be proper, the Applicant requests that, in light of the small number of claims, and their general similarity, the Requirement for Restriction be waived.

3) Default Election

In the event that the Requirement for Restriction is neither withdrawn nor waived, the Applicant elects claims 15 – 21.

The Applicant respectfully requests early and favourable disposition of this application.

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